

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

THE CITY OF BLAINE, *et al.*, ) No. C03-0813RSL  
Plaintiffs, )  
v. ) ORDER DENYING PLAINTIFFS'  
GOLDER ASSOCIATES, INC., *et al.*, ) MOTION IN LIMINE REGARDING  
Defendants. ) TESTIMONY OF ENGINEERING  
EXPERT

This matter comes before the Court on “Plaintiffs’ Motion in Limine Regarding the Testimony of Defendants’ Engineering Expert, Mitigation of Damages After August 5, 1999, and Mitigation of Damages During July 1999.” Dkt. # 332.<sup>1</sup> While reaffirming its prior decisions regarding the mitigation defense, the Court finds that much of Patrick Roe’s report and many of his opinions go to the foreseeability of the losses claimed by plaintiffs. The motion in limine is, therefore, DENIED.

DATED this 12th day of May, 2006.

Mrs Casnik

Robert S. Lasnik  
United States District Judge

<sup>1</sup> This matter can be decided on the papers submitted by the parties. Plaintiffs' request for oral argument is DENIED.

ORDER DENYING PLAINTIFFS' MOTION IN  
LIMINE REGARDING EXPERT